

March 11, 2015

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Re: Waiver Request

Dear Madam Secretary:

Arkansas Department of Information Systems (DIS) seeks a waiver of the Commission's rule requiring E-rate applicants to have a signed contract in place prior to filing an application for E-rate support with respect to its funding requests seeking E-rate support for priority one services in funding years 2012, 2013, and 2014.

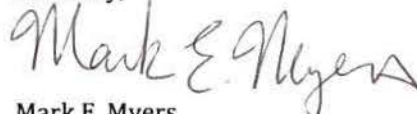
In support of such waiver, DIS submits that the services at issue were competitively bid and contracts awarded in prior funding years for an initial term with optional one-year extensions not to exceed a total seven-year term. In the funding years in question, however, the initial term of some of these contracts had expired requiring exercise of the extension option. DIS's ability to exercise such renewal options was delayed by staff's adherence to the then-existing state procurement process under which state contract renewals were not exercised until ninety (90) days before the expiration of the current contract term.

It was always the intent of DIS to exercise such renewal options, and such options were exercised and signed contracts were in place before any services were delivered for the funding years in question. The services were provided in good faith pursuant to such signed contracts, and denial of funding for these services would create an undue financial hardship for DIS, impair its ability to provide broadband services to schools across the state of Arkansas, and unfairly penalize Arkansas schools.

DIS is committed to changing its procurement process to ensure consistency with the E-rate funding cycle. For these past funding years, DIS respectfully asserts that the granting of a waiver is both consistent with FCC precedent and the public interest, and, therefore, asks that such waiver be granted.

If I may provide additional information, please do not hesitate to contact me at (501) 682-5148.

Sincerely,



Mark E. Myers
State Chief Technology Officer
Director